



United States Attorney
Southern District of New York

86 Chambers Street
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April 3, 2021

Via ECF & Email

The Honorable Katherine Polk Failla
United States District Court
40 Foley Square
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

Re: *Open Society Justice Initiative, et al. v. Trump, et al.*, 20 Civ. 8121 (KPF)

Dear Judge Failla:

This Office represents the defendants (the “Government”) in the above-referenced case, in which Plaintiffs challenge the application of Executive Order 13,928 and its implementing regulations. The Government’s current deadline to respond to the Complaint is April 5, 2021, and the Court has scheduled a pretrial conference for April 8, 2021, at 12:00 p.m. *See* Dkt. No. 61 at 2. I write to inform the Court that the State Department announced yesterday that President Biden has revoked Executive Order 13,928,¹ and to request that the Government’s deadline to respond to the Complaint be extended to April 22, 2021, and that the pretrial conference be adjourned to a date after April 21, 2021, that is convenient for the Court. This additional time will allow the parties the opportunity to discuss their options for resolving this case in light of this revocation (and takes into account the fact that counsel for the Government will be on leave from April 9 to 20, 2021). This is the Government’s fourth request for an extension of these dates and all previous requests have been granted. *See* Dkt. No. 55 at 2; Dkt. No. 59 at 2; Dkt. No. 61 at 2. Plaintiffs consent to the request.

I thank the Court for its consideration of this request.

Respectfully,

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United States Attorney

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cc: Counsel for the plaintiffs (via ECF & Email)

¹ U.S. Department of State, Ending Sanctions and Visa Restrictions against Personnel of the International Criminal Court (Apr. 2, 2021), *available at* <https://www.state.gov/ending-sanctions-and-visa-restrictions-against-personnel-of-the-international-criminal-court/> (last visited Apr. 2, 2021).